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KERALA GAZETTE
അസാധാരണം
EXTRAORDINARY

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SECRETARIAT OF THE KERALA LEGISLATURE

NOTIFICATION

No.KLS/8015/2025-Legin3 *Dated, Thiruvananthapuram, 06th October 2025.*

THE KERALA RIGHT TO PUBLIC SERVICE BILL, 2025 together with the Statement of Objects and Reasons, Financial Memorandum and the Memorandum regarding Delegated Legislation is published, under rule 69(5) of the rules of procedure and conduct of business in the Kerala Legislative Assembly.

Dr. N. Krishna Kumar,
Secretary

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Fifteenth Kerala Legislative Assembly
Bill No. 280

[Translation in English of “2025-ലെ കേരള പൊതുസേവനാവകാശ ബിൽ" published under the authority of the Governor]

THE KERALA RIGHT TO PUBLIC SERVICE BILL, 2025

A

Bill

to provide for the delivery of public services to eligible persons within the stipulated time limit, including to make accountable the public servants in case of default and for matters connected therewith and incidental thereto;

Preamble:- WHEREAS, it is expedient to provide for the delivery of public services to eligible persons within the stipulated time limit, including to make accountable the public servants in case of default and for matters connected therewith and incidental thereto;

BE it enacted in the Seventy- sixth Year of the Republic of India, as follows:-

1. *Short title and commencement.*- (1) This Act may be called the Kerala Right to Public Service Act, 2025.

(2) It shall come into force at once .

2. *Definitions.*- In this Act, unless the context otherwise requires,-

(a) “Commission” means the Commission constituted under section 10;

(b) “days” means working days of the public authority concerned;

(c) “designated officer” means an officer designated as per section 4;

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(d) “electronic mode” means any method, process or application to deliver any service electronically including, but not limited to Government to Government, Government to citizen or Government to business transactions, data interchange and other digital supply transactions whether conducted through e-mail, mobile services, cloud computing, document management, voice or data transmission or otherwise;

(e) “electronic service delivery” means the delivery of services through electronic mode;

(f) “eligible person” means person who is eligible to obtain services notified under this Act and includes a person duly authorized in writing by such eligible person;

(g) “first appellate authority” means an officer notified as per section 4;

(h) “Government” means the Government of Kerala;

(i) “head of the department” means the Secretary to Government, Director, Commissioner, Registrar or any other officer in charge of a Government Institution;

(j) "notification" means a notification published in the Official Gazette;

(k) “prescribed” means prescribed by rules made under this Act;

(l) “public authority” means an authority or body or Local Self Government Institution established or constituted,-

(i) by or under the Constitution;

(ii) by any other law made by Parliament;

(iii) by any other law made by State Legislature;

(iv) by notification issued or order made by the Government and includes;

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(a) any body owned, controlled or substantially financed directly or indirectly by the funds provided by the Government; and

(b) any other body which is required to render public service as may be notified by the Government from time to time;

(m) "public service" means public services rendered by the Government, electronically or otherwise, and includes services notified by the department concerned as per section 4 of this Act;

(n) "State" means the State of Kerala;

(o) "second appellate authority" means an officer not below the rank of a Joint Secretary notified by the Administrative Department concerned for the purposes of section 8 of the Act;

(p) "stipulated time limit" means the time limit specified under section 4 of this Act for rendering service by the designated officer.

3. *Right to obtain Public Services*.- Subject to the provisions of this Act, every eligible person shall have the right to obtain the services notified as per section 4 within the stipulated time limit.

4. *Power to notify public services, stipulated time limit, designated officers etc.*- (1) Every Head of the Department shall notify, from time to time, the services to be rendered by them, stipulated time limit, the designated officer and the first appellate authority for the purpose of this Act.

(2) For providing public service specified under sub-section (1), the Government may, by notification, designate different officers for different services at Village, Taluk, District, Department or at any other appropriate level, who shall be

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accountable for providing each of such services to the eligible person.

5. *Rendering of public service within stipulated time limit.*- (1) The designated officer shall render the public service to the eligible person within such time limit as may be specified in the notification issued under sub-section (1) of section 4.

(2) The stipulated time limit shall commence from the date on which an application for a public service, complete in all respects, is submitted to the designated officer or the subordinate officer authorized to receive such an application, in such manner, as may be prescribed.

(3) Every designated officer shall maintain detailed records of public services on which applications made, delivered or rejected, as the case may be, in such manner as may be prescribed, preferably in electronic format.

(4) Every applications received by the designated officer shall be duly acknowledged stating the date of receipt of the application, and in the case of application submitted online, an automatic acknowledgement shall be generated.

(5) On receipt of an application, the designated officer shall take action on it in the manner as may be prescribed and render the public service within the stipulated time limit or reject the application:

Provided that in the case of rejection of the application, the designated officer shall record the reasons thereof and intimate the same to the applicant.

6. *Delivery of Service Electronically*.- (1) All public authorities shall subject to the legal, technical and financial feasibility, deliver all public services through electronic mode within the time limit, as may be notified by the Government, from the date of commencement of this Act, except such services;

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(i) which cannot be delivered electronically;

(ii) which can be delivered electronically; but the Government declares that such services need not be delivered electronically for the reasons to be specified.

(2) Every public authority shall, within six months from the date of commencement of this Act, publish the schedule of public services to be provided in electronic mode and shall review and update the schedule annually.

(3) The public authority while reviewing the schedule under sub-section (2), may by notification, exclude or include any public services in such schedule:

Provided that such exclusion in the schedule shall be subject to the prior approval of the Government.

(4) The Government may, from time to time, notify the e-Governance Standard in such manner as may be prescribed, without prejudice to the e-Governance Standards prescribed by the Central Government.

7. *First Appeal.*- (1) Any person, whose application has been rejected under sub-section (5) of section 5 of the Act or who does not receive the public service within the stipulated time limit or where the public service received by him is deficient in any manner, may prefer an appeal to the first appellate authority, within a period of thirty days from the date of receipt of order of rejection or on the expiry of the stipulated time limit or on the receipt of deficient service, as the case may be:

Provided that the first appellate authority may admit an appeal filed after the expiry of 30 days, if he is satisfied that the appellant has sufficient cause for not filing the appeal in time.

(2) The first appellate authority may direct the designated officer to render

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the public service or to rectify the deficiency in the public service rendered to the eligible person within such period as specified and not more than the stipulated time limit under sub-section (1), and dispose thereof, or reject the appeal after recording the reasons in writing:

Provided that before passing an order under sub-section (2), the first appellate authority shall give a reasonable opportunity for being heard to the parties concerned.

(3) An appeal filed under sub-section (1) shall be disposed of within a period of thirty days from the date of filing.

8. *Second Appeal*.- (1) Any person aggrieved by the order of the first appellate authority may prefer an appeal to the second appellate authority within 30 days from the date of receipt of the order of the first appeal:

Provided that the second appellate authority may admit an appeal filed after the expiry of 30 days, if he is satisfied that the appellant had sufficient cause for not filing the appeal in time.

(2) The second appellate authority may direct the designated officer to render the public service or to rectify the deficiency in the public service rendered to the eligible person within such period as specified but not more than the stipulated time limit and dispose thereof or reject the appeal after recording reasons in writing:

Provided that before passing an order under sub-section (2), the second appellate authority shall give a reasonable opportunity for being heard to the parties concerned.

(3) An appeal filed under sub-section (1) shall be disposed of within a

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period of thirty days from the date of filing.

9. *Revision.*- (1) Any person aggrieved by an order of the second appellate authority may file a revision petition before the Commission within a period of sixty days from the date of receipt of the said order:

Provided that the Commission may admit a revision petition filed after the expiry of sixty days, if it is satisfied that there is sufficient cause for not filing the revision petition in time.

(2) The decision of the Commission shall be final and binding on all parties concerned.

10. *Constitution of the Kerala State Right to Service Commission.*- (1) The Government shall, as soon as may be after the date of commencement of this Act, by notification in the Gazette, constitute a single member body by name "the Kerala State Right to Service Commission" to exercise the powers conferred on it and to perform the functions assigned to it under this Act.

(2) Commission shall be a retired District Judge or a person who held a post not below the rank of Additional Secretary to the Central or the State Government Service or an Advocate having practice of more than ten years.

11. *Term and conditions of service of the Commission*.- (1) A person appointed as a Commission shall hold office for a period of three years from the date he assumes office or until he attains the age of 65 years, whichever is earlier, and shall not be eligible for reappointment.

(2) The Commission may, at any time, resign his office by giving notice in writing under his hand to the Government.

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(3) The Government shall remove a person who is a Commission from office, if he,-

(a) becomes an undischarged insolvent; or

(b) has been convicted and sentenced to imprisonment for an offence which, in the opinion of the Government involve moral turpitude; or

(c) becomes of unsound mind and stand so declared by a competent court; or

(d) refuses to work or becomes incapable to work; or

(e) in the opinion of the Government, has so abused his official position as to render that person's continuance in office detrimental to the public interest:

Provided that no person shall be removed under this sub-section unless he has been given a reasonable opportunity of being heard in the matter.

(4) The salary and allowances payable to and the other terms and conditions of the Commission shall be, as may be, prescribed.

12. *Office, Officers and other staffs of the Commission.*- (1) The Government shall provide such office, officers and other staffs as may be required for the efficient performance of the Commission, as may be, prescribed.

(2) The salaries and allowances payable to and the terms and conditions of service officers and other staffs appointed for the purpose of the Commission, shall be such as may be prescribed.

13. *Salary, allowances and administrative expenses to be paid out of grant*.- The salary and allowances payable to the Commission and the administrative expenses, including salary, allowances and pension payable to the officers and other staffs referred

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to in sub-section (1) of section 12 shall be paid out of the grant made available by the Government through the budget.

14. *Powers and duties of the Commission*.- (1) The Commission shall have the following powers, namely:-

(i) regulate its procedures;

(ii) to take suo motu action, in case of failure to render public service in accordance with the provisions of the Act or, and refer such cases to the First Appellate Authority or the Second Appellate Authority for making orders or taking decisions, as may be appropriate;

(iii) to inspect the office of the public authority and the offices of the first and second appellate authorities entrusted with the delivery of public service;

(iv) to recommend additional services to be notified under section 4 and to suggest amendments in the notifications already issued for better implementation;

(v) to recommend departmental inquiry, if it thinks fit, against any designated officer or the First Appellate Authority who have repeatedly failed to discharge the duties prescribed under this Act.

2) Without prejudice to the generality of the provisions of the Act, the Commission shall have, inter alia, the following functions, namely:-

(i) to consider and dispose of the revision filed under section 9;

(ii) to give the copy of its order to the parties concerned immediately after disposal of the revision and publish the same on its website;

(iii) to monitor the implementation of the provisions of this Act at regular intervals;

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(iv) to monitor the display of details of services to be rendered, the adherence to the time schedule for delivery of such service and the manner and standard of delivery of such service as notified under section 4 of the Act;

(v) to advise on redressal of public grievances regarding non-availability of public service in electronic mode and any deficiency in providing service electronically;

(vi) to recommend changes in the procedures towards the delivery of public service so as to make such delivery more transparent, efficient and citizen-friendly:

Provided that before making such recommendation, the Commission shall consult with Secretary of the Department concerned;

(vii) to seek feedback or response from eligible persons about their experience of availing the services from the public authority and review the same;

(viii) to inspect the office of public authorities and confirm whether the services are being rendered within the time limit prescribed in the notification and, if any delay is noticed, recommend to the appointing authority to take disciplinary action against such officers as considering the same as dereliction of duty;

(ix) to organize public awareness programmes for effective implementation of the provisions of the Act and to improve the delivery of services under this Act by public authorities;

(x) to perform any other duties as may be prescribed.

15. *Liability of the public authority shall have the liability to give effect to the orders of the Commission*.- The public authority shall be liable to give effect to the

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orders and decisions of the Commission and to implement its orders and decisions.

16. Powers vested with the Commission and the Appellate Authorities.- (1) The Commission and the Appellate Authorities shall, while performing its duties under this Act, shall have all the same powers as are vested in a Civil Court under the Code of Civil Procedure, 1908 (Central Act 5 of 1908) in respect of the following matters, namely:-

(a) summoning and enforcing the attendance of any person;

(b) discovery and production of any document;

(c) receiving evidence on oath or on affidavits;

(d) requisitioning any public record;

(e) to appoint a commission for the examination of witnesses;

(f) to review its orders, decisions and directions; or

(g) any other matters as may be prescribed.

17. *Developing Culture to Render Public Service*.- (1) The provisions of this Act shall be deemed to be the part of the service conditions of the first appellate authority, designated officer, any person subordinate to him, involved in the process of rendering such services.

(2) Every public authority may take steps to reduce the demand from an eligible person to submit various certificates, documents, affidavits etc. for obtaining public service and shall endeavour to obtain such information and documents, directly from the departments or public authority concerned.

(3) Every designated officers and first appellate authority shall undergo

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periodic training, in such manner as may be prescribed, to enhance and ensure timely delivery of public service.

18. *Display of details of public services, stipulated time limit, designated officer and appellate authority*.- Every public authority, for the information of public, shall publish the details of the designated officers, public services, the stipulated time limit and appellate authority locally on the notice board and on the website of the public authority concerned.

19. *Monitoring and Reporting*.- (1) Every public authority shall, after the end of each calendar year, prepare a consolidated report regarding the details of the delivery of public services rendered under this Act by the department concerned for that year.

(2) Each department shall, with respect to the public authority under their jurisdiction, collect and provide such information to the authority as is required to prepare the reports under this section and comply with the requirements concerning the furnishing of that information and the keeping of records for the purposes of this section.

(3) The Commission shall, as soon as practicable after the end of each year, prepare a report on the implementation of the provisions of the Act during the previous calendar year and shall send a copy thereof to the Government.

(4) The Government shall, as soon as practicable, a copy of the report received under sub-section (3) to be laid before the State Legislature.

20. *Penalty*.- (1) Where the first appellate authority finds that the designated officer or any other officer involved in the process of rendering such service has failed to provide the public service to the eligible person within the stipulated time limit or has caused undue delay to render the public service or has rendered the public service which

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is deficient in any manner without sufficient and reasonable cause, the first appellate authority may impose a fine which shall not be less than one thousand rupees and which may extend to ten thousand rupees on the designated officer or such other officer:

Provided that a reasonable opportunity of being heard shall be given to the officers concerned before imposing such fine.

(2) Where the second appellate authority finds that there has been undue delay in disposing of the appeal within the time limit specified in sub-section (3) of section 7 or without sufficient or reasonable cause, the second appellate authority may impose fine which shall not be less than two thousand rupees and which may extend to fifteen thousand rupees on the First Appellate Authority:

Provided that the second appellate authority shall give a reasonable opportunity of being heard before imposing such fine to the first appellate authority.

(3) The Commission may impose fine which may extend to ten thousand rupees on the head of the department who fails to notify the particulars provided under section 4 and on the head of the public authority who fails to display the particulars provided under section 18 of this Act:

Provided that before imposing such fine, the head of the department or the head of the public authority shall be given a reasonable opportunity of being heard.

(4) Where the Commission or the second appellate authority finds that the designated officer or the first appellate authority has failed to comply with the order of the Commission or the second appellate authority, or there has been persistent or willful failure to comply with the provisions of this Act, he may be recommended for

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disciplinary action under applicable service rules against the designated officer or the first appellate authority, as the case may be, in addition to penalty imposed under this section.

21. *Recovery of penalty and remittance of compensation*.- (1) The penalty imposed on a designated officer or any other officer involved in the process of rendering public service under this Act shall be recovered from the salary or pension or otherwise from other assets in the same manner as an arrear of land revenue.

(2) The Commission or the Appellate Authority may, by order, direct to give such amount as compensation to the eligible person out of the amount of penalty imposed and realized under this Act, as may be specified in the order.

22. *Protection of action taken in good faith*.- No suit, prosecution or any other legal proceedings shall lie against any officer or employee of the Government for anything which is done or intended to be done in good faith under this Act or any rules made thereunder in accordance with the provisions of the Act, without the prior permission of the Government.

23. *Act to have overriding effect.*- The provisions of this Act shall have effect, notwithstanding anything inconsistent therewith contain in any other law for the time being in force or in any instrument, decree or order of any court, tribunal or authority having effect by virtue of any law other than this Act.

24. *Bar of jurisdiction of Civil Court*.- No civil court shall have jurisdiction to entertain any suit or proceeding in respect of any act done or any action taken under this Act or any order or direction issued by the Government or any other authority or officer in pursuance of the power conferred by this Act or in connection thereto.

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25. *Power to remove difficulties*.- (1) Where any difficulty arises in giving effect to any of the provisions of this Act, the Government may, by order without prejudice to the provisions of the Act, remove such difficulty:

Provided that no such order shall be issued after the expiry of two years from the date of commencement of this Act.

(2) Every order issued under sub section (1) shall be laid before the State Legislative Assembly.

26. *Power to make rules*.- (1) The Government may, by notification in the Official Gazette, make rules either prospectively or retrospectively, to carry out the provisions of this Act.

(2) Every rule made under this Act shall be laid, as soon as may be after it is made, before the Legislative Assembly while it is in session, for a total period of fourteen days which may be comprised in one session or in two successive sessions, and if, before the expiry of the session in which it is so laid or the session immediately following, the Legislative assembly makes any modification in the rule or decides that the rule should not be made, the rule shall thereafter have effect only in such modified form or be no effect, as the case may be; so however that any such modification or annulment shall be without prejudice to the validity of anything previously done under that Act.

27. *Repeal and Saving*.- (1) The Kerala State Right to Service Act, 2012 (18 of 2012) is hereby repealed.

(2) Notwithstanding such repeal anything done or any action taken or any proceedings initiated under the said Act shall be deemed to have done or taken or

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initiated under this Act:

Provided that any notification, order or rule issued or made under the repealed Act, not inconsistent with the provisions of this Act shall continue in force and deemed to have been made or issued under the provisions of this Act unless and until it is superseded by any notification, rule or order issued or made under this Act.

STATEMENT OF OBJECTS AND REASONS

The Kerala State Right to Service Act came into force on 1st November, 2012. The Subordinate Legislation Committee (2021-2023) of Kerala Legislative Assembly in its Sixth Report which include the report regarding the scrutiny of the Kerala State Right to Service Rules, 2012, have recommended certain amendments in the said rule. While examining the said recommendations, it was found that the existing Kerala State Right to Service Act was found inadequate to meet the objectives of the Act, and sought for remarks of the Law Reforms Commission in the said matter and after considering the recommendations of the Commission, the Government have decided to enact a new law by repealing the existing law.

The Bill seeks to achieve the above objects.

FINANCIAL MEMORANDUM

Clause 10 of the Bill provides for the constitution of a single member commission for hearing the revision petitions under the Act. Recurring expenditure of Rupees Thirty Lakhs per year is expected from the Consolidated Fund of the State for the purposes of honorarium, travelling allowance etc. of the Commission. Sub-clause (2) of clause 12

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provides that salary and allowances of employees and other staff appointed for the purposes of the Commission shall be, as may be, prescribed. The actual expenditure incurred from the Consolidated Fund of the State under this head cannot be calculated accurately at this stage.

MEMORANDUM REGARDING DELEGATED LEGISLATION

1. Sub-clause (o) of clause 2 of the Bill seeks to empower the Administrative Department concerned to appoint Second Appellate Authority by notification.

2. Clause 4 of the Bill,-

(i) sub-clause (1) seeks to empower the head of Department to notify from time to time the services to be rendered by them for the purposes of the Act, stipulated time limit, designated officers and First Appellate Authority;

(ii) sub-clause (2) seeks to empower the Government to notify different officers at village, taluk, district, department level or at any appropriate level for rendering different public services.

3. Clause 5 of the Bill seeks to empower the Government,-

(i) sub-clause (2) to prescribe the manner in which the application for public service is to be submitted;

(ii) sub-clause (3) to prescribe the manner in which the detailed records of such applications are to be maintained;

(iii) sub-clause (5), to prescribe the manner of proceedings to be taken by the designated officer on receipt of such application.

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4. Clause 6 of the Bill seeks to empower the Government,-

(i) sub-clause (1), to prescribe the time limit for rendering all public services through electronic mode;

(ii) sub-clause (3), to empower the public authority to issue notification for including or excluding any service from the schedule;

(iii) sub-clause (4), to notify e-Governance Standard.

5. Clause 10 of the Bill, seeks to empower the Government to constitute the Kerala State Right to Service Commission by notification.

6. Sub-clause (4) of clause 11 of the Bill, seeks to empower the Government to prescribe the salary, allowances and other service conditions of the person to be appointed as the Commission.

7. Clause 12 of the Bill, seeks to empower the Government,-

(i) sub-clause (1) to prescribe the manner for the allotment of office, employees and other staffs necessary for the efficient functioning of the Commission;

(ii) sub-clause (2) to prescribe the salary, allowances and other service conditions of the employees and other staffs appointed for the purpose of the Commission.

8. Item (x) in sub-clause (2) of clause 14 of the Bill, seeks to empower the Government to prescribe any other duties to be performed by the Commission.

9. Item (g) in clause 16 of the Bill, seeks to empower the Government to prescribe any other powers to the Appellate Authority and Commission;

10. Sub-clause (3) in clause 17 of the Bill, seeks to empower the Government to

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prescribe the manner in which periodic training may be given to all designated officers and First Appellate Authority.

11. Sub-clause (1) of clause 25 of the Bill, seeks to empower the Government to issue order for removing the difficulty, if any difficulty arises in giving effect to the provisions of the Act.

12. Sub-clause (1) of clause 26 seeks to empower the Government to make rules, either prospectively or retrospectively, by notification to carry out provisions of the Act.

13. The matters in respect of which rules are to be made or notifications or orders are to be issued are matters of procedure and are of routine or administrative in nature. Further, such rules, notifications and orders after they are made are subject to the scrutiny of the Legislative Assembly. Thus, the delegation of legislative power is of a normal character.

PINARAYI VIJAYAN

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